



Customer Service/Corporate Business Center

I. INTRODUCTION

Schneider National Inc. is a leading provider of transportation, logistics and related services. Schneider National serves more than 80 percent of the Fortune 500® companies, offering the broadest portfolio of services in the industry.

Transportation solutions include: One-Way, Intermodal, Dedicated, Bulk, Transportation Management, Transloading Services, and International Services. Schneider Logistics, a wholly owned subsidiary of Schneider National, provides supply chain management technology, managed services, and engineering services. With headquarters in Green Bay, Wis., Schneider National has a 70-year track record of providing expert transportation and logistics solutions.

In Wisconsin, Schneider National employs a diverse, highly skilled, and educated workforce that total's 3,800 associates. We are the second largest employer in Brown County and the 4th largest service establishment in the state with 2004 wages totaling over \$165 million. In 2004 Schneider National created 200 new jobs and purchased \$297 million in goods and services from Wisconsin Businesses.

Schneider National has been an active participant with the EPA, Department of Commerce, Department of Natural Resources and the State Legislature in developing solutions to improve air quality in Wisconsin. We remain committed to assisting the Department of Natural Resources in determining an environmentally and economically responsible course of action for NR 411 rulemaking. In this regard, we have carefully reviewed the draft reports and offer the following comments.

II. NR 411.08 Heavy Duty Diesel Requirements for Indirect Source Permits. Software Upgrade for 1993 through 1998 Model Year Heavy-Duty Trucks.

Schneider National opposes the mandatory "reflash" requirement in NR 411.08 (1) for Heavy Duty Trucks. We believe the requirement is not needed as engine companies have agreed to complete this reflashing at the first overhaul according to the terms of the 1998 consent decree with EPA. Since many of the trucks already have 800,000 – 1,000,000 miles on them the majority have likely been reprogrammed. All Schneider National trucks in this age band were reprogrammed as part of an engine upgrade offered to customers from our OEM.

Recently, California's Superior Court overturned a state regulation that required all trucks with 1993 to 1998 model-year engines operating in the state to be reprogrammed to include more stringent emission controls.

The court said the 2005 mandatory "reflash" regulation by the California Air Resources Board amounted to an "illegal involuntary recall" that went beyond the terms of a 1998 consent decree that engine manufacturers negotiated with CARB and the U.S. Environmental Protection Agency.

CARB's "chip reflash regulation unconstitutionally impairs the obligations" of previously negotiated settlement agreements and "constitutes an illegal involuntary recall," Judge Judy Holzer Hersheer said in her Oct 16 decision. There is no reason to believe that proposed requirement of reflashing in NR 411.08 is constitutional and therefore it should be removed.

For these reasons, Schneider National recommends this section and requirement be taken out of the current rule.

III. DRIVER MEDICAL EXEMPTIONS

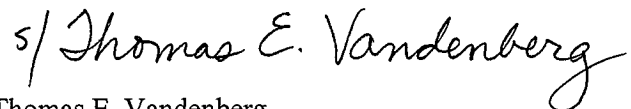
Drivers with medical conditions requiring the use of the tractor electrical system to power medical devices should be exempt from the idling regulation when the medical equipment is in use. An example of this is Sleep Apnea. Drivers must use a CPAP machine during sleep to insure adequate air flow through their throat to get a complete nights sleep. The machines frequently require the use of a heated humidifier as well to keep the air warm and moist. Without a CPAP machine the driver will not receive adequate rest and suffer from fatigue the next day, a major cause of accidents.

IV. CONCLUSION

Schneider National appreciates the opportunity to submit these comments on the Department of Natural Resources NR 411 Rule. We believe that the above offered suggestions will improve the program by encouraging truck idling and ensure compliance with the 1998 consent decree between EPA and engine manufacturers.

If there are questions or clarification needed do not hesitate to contact me.

Respectfully submitted by:

A handwritten signature in black ink that reads "s/ Thomas E. Vandenberg". The signature is written in a cursive, flowing style.

Thomas E. Vandenberg
General Counsel
Schneider National, Inc.
P.O. Box 2545
Green Bay, WI 54306
920-592-3893